

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DAVID ALVAREZ VENTURA,

Case No. 2:19-cv-01692-JAD-NJK

V.

Plaintiff

JOHN H. GANSER, *et al.*,

Under Dismissing Action

Defendants

[ECF Nos. 1, 3, 4]

Plaintiff, a pro se prisoner, filed an application to proceed *in forma pauperis* and

9 submitted a civil-rights complaint under 42 U.S.C. § 1983.¹ He now moves for voluntary
10 dismissal.² Rule 41(a)(1) of the Federal Rules of Civil Procedure permits a plaintiff to dismiss
11 an action without a court order by filing “a notice of dismissal before the opposing party serves
12 either an answer or a motion for summary judgment.”³ The Court grants plaintiff’s motion to
13 voluntarily dismiss this action because no responsive pleading has been filed in this case.

IT IS THEREFORE ORDERED that the motion for voluntary dismissal [ECF No. 4] is

15 **GRANTED; this case is dismissed with prejudice.** The Clerk of Court is directed to **DENY**
16 **all other pending motions [ECF Nos. 1, 3]** as MOOT and CLOSE THIS CASE.

Dated: December 4, 2019

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¹ ECF No. 1, 1-1.

23 ||² ECF No. 4.

³ Fed. R. Civ. P. 41(a)(1)(A)(i).